

Serial No. 09/978,549  
Amendment dated May 25, 2004  
Office Action dated April 8, 2004

Docket No. K-0333

### **REMARKS/ARGUMENTS**

Claims 1-32 are pending in this application. By this Amendment, claims 20 and 29-31 are amended, and claims 33-34 are cancelled without prejudice or disclaimer. Reconsideration in view of the above amendments and the following remarks is requested as follows.

Entry of the amended claims is proper under 37 C.F.R. §1.116 since the amendments: (1) place the application in condition for allowance for the reasons discussed herein; (2) do not raise any new issues requiring further search and/or consideration since the amendments amplify issues previously discussed throughout prosecution without incorporating additional subject matter; (3) satisfy a requirement of form asserted in the previous Office Action; and/or (4) place the application in better form for appeal if necessary. Entry is thus requested. Allowance in view of the above amendments and the following remarks is respectfully requested.

The Examiner is thanked for the indication that claims 1-28 are allowed, and that claims 30-32 and 34 would be allowable if rewritten in independent form, including all of the limitations of the base claim and any intervening claims. The allowable subject matter of claim 34 has been incorporated into independent claim 29. Accordingly, independent claim 29 should be in condition for allowance. Claims 30 and 31 have been rewritten in independent form, and thus should also be in condition for allowance, along with claim 32, which depends from claim 31.

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The Office Action objects to the specification as failing to provide proper antecedent basis for the subject matter recited in claim 33. Claim 33 is cancelled, and thus the objection is moot.

The Office Action rejects claim 33 under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. Claim 33 is cancelled, and thus the rejection is moot.

The Office Action rejects claim 29 under 35 U.S.C. §102(e) as being anticipated by Berton, U.S. Patent No. 6,469,429. The rejection is respectfully traversed.

The allowable subject matter of objected to claim 34 has been incorporated into independent claim 29. Accordingly, the rejection of independent claim 29 under 35 U.S.C. §102(e) over Berton should be withdrawn.

### **CONCLUSION**

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney, **Carol L. Druzbeck**, at the telephone number listed below.

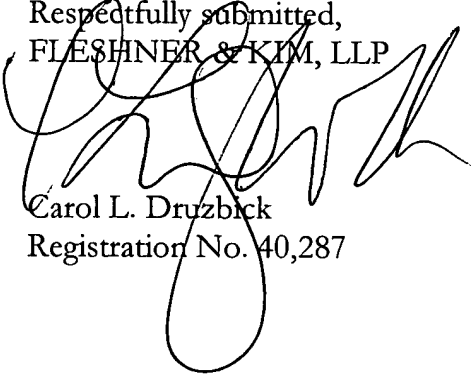
To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this,

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concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and  
please credit any excess fees to such deposit account.

Respectfully submitted,  
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